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REMARKS

This supplemental amendment is intended as a full and complete response to the Final Office Action dated July 15, 2003 and replaces the previous response to the Final Office Action filed on September 11, 2003. In the Office Action, the Examiner notes that claims 1-40 and 42-46 are pending, of which claims 1-46 stand rejected. By this amendment, claims 2, 15-19, 22, 35-39, and 45-46 have been amended, claims 1 and 21 are cancelled, and claims 3-13, 20, 23-34, 40 and 44 continue unamended.

The applicant thanks the Examiner for notifying the applicant of the grammatical errors in claims 1 and 22. By this supplemental response, the applicants have amended claims 1 and 22 to change the word "transcending" to "transcoding," which the applicant meant to include, as described in the arguments originally set forth in the Remarks section of the previous response. For the convenience of the Examiner, this supplemental response includes all of the discussions included in the previous response timely filed September 11, 2003.

In view of both of the amendments presented above and the following discussion, the applicant submits that none of the claims now pending in the application are anticipated under the provision of 35 U.S.C. §102. Thus, the applicant believes that all of these claims are now in allowable form.

REJECTIONS

35 U.S.C. §102

Claims 1-46

The Examiner has rejected claims 1-40 and 42-46 under 35 U.S.C. §102(e) as being clearly anticipated by Sicher et al. (U.S. Patent No. 6,385,195, issued May 7, 2002, hereinafter "Sicher"). The applicant respectfully traverses the rejections.

A. Claims 2-40

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The applicant has amended claims 2 and 22 to independent form and cancelled base claims 1 and 21.

Independent claim 2 (and similarly independent claim 22,) as amended, recites:

"A method for accepting streamed media packets sent from a content provider and converting said streamed media packets to a pulse code modulated (PCM) signal stream, said method comprising the steps of:

receiving, via a first interface, a request for a specified media content available from said content provider;

establishing, responsive to receipt of said request, a session with said content provider to receive said streamed media packets corresponding to said specified media content; and

transcoding said streamed media packets to form a PCM signal stream corresponding to said specified media content; and launching said PCM signal stream onto a network operable to convey said PCM signal stream." (emphasis added).

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim" (Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 U.S.P.Q. 481, 485 (Fed. Cir. 1984)(citing Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 U.S.P.Q. 193 (Fed. Cir. 1983)) (emphasis added). The Sicher reference fails to disclose each and every element of the claimed invention, as arranged in the claim.

The Sicher reference discloses an enhanced interworking function module (E-IWF) that provides the means for a mobile station to interface voice and fax with the Internet. That is, the IWF enables a mobile subscriber to make an IS-136 (digital) voice call to another Internet subscriber or to a landline terminal via an IP based network (e.g., the internet) without going through the PSTN and an extra analog conversion. More specifically, voice signals are encoded in a mobile station into voice frames which are multiplexed in a base station and transmitted to the E-IWF. The E-IWF transcodes the voice frames in a first code into an isochronous stream of digitized voice samples, such as a pulse code modulator (PCM) signal stream. The isochronous stream is then

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transcoded, via a second codec, into a voice-over-IP (VoIP) format. The output of the second codec is a service data unit (SDU) which is framed utilizing a transport layer protocol into segmented datagrams. The IP datagram stream is then carried by one of a plurality of lower-layer protocol, such as, for example, CSMA/CD, frame relay, among others. (See Sicher, column 3, lines 17-34 and col. 6, lines 28-61).

That is, E-IWF of the Sicher reference performs two transcoding steps to first change the voice AFR frames into a PCM signal, and then transcode the PCM signal into segmented datagrams prior to transmitting such datagrams. In other words, the Sicher reference fails to teach, or even suggest, that the PCM signal stream is sent out (launched) over the network to the compliant devices.

The applicant's invention differs from the Sicher reference, since the applicant's invention launches the PCM signal stream onto a network operable to convey the PCM signal stream, rather than performing a second transcoding step to transform the PCM signal stream into a voice over IP format prior to delivery. Since the applicant's invention performs only one transcoding step to transcode stream media packet into a PCM signal stream and then transmits such PCM signal stream to the client device (as opposed to performing two transcoding steps to first transcode the stream media packets to a PCM signal stream and then transcode the PCM stream signal stream to a VoIP format), the Sicher reference fails to teach each and every element, as arranged in the claim. That is, the Sicher reference fails to teach or suggest "launching said PCM signal stream unto a network operable to convey PNC signal stream."

As such, the applicant submits that independent claim 2, as amended, is not anticipated and fully satisfies the requirements under 35 U.S.C. §102 and is patentable thereunder. Likewise, independent claim 22, as amended, and independent claim 44, recite similar limitations as recited in independent claim 2. As such, and at least for the same reasons as discussed above, the applicant submits that independent claims 22 and 44 are not anticipated and fully satisfy the requirements under 35 U.S.C. §102 and are patentable thereunder.

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Furthermore, claims 3-20, 23-40, 45, and 46 respectfully depend, either directly or indirectly, from independent claims 2 and 22 and recite additional features thereof. As such and at least for the same reasons as discussed above, the applicant submits that these dependent claims are also not anticipated and fully satisfies the requirements under 35 U.S.C. §102 and are patentable thereunder. Therefore, the applicant respectfully requests that the rejection be withdrawn.

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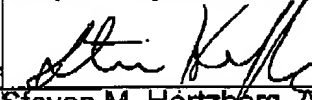
CONCLUSION

Thus, the applicant submits that the pending claims are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Steven M. Hertzberg or Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

10/5/03


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